

NAVAJO COUNTY PUBLIC WORKS DEPARTMENT
PLANNING & ZONING

Post Office Box 668 - 100 East Code Talkers Drive
Holbrook, Arizona 86025
(928) 524-4100 FAX (928) 524 4399

CN.15-26

APPLICATION
USE PERMIT

OWNER INFORMATION:

OWNER'S NAME: Katherine Smith
AGENT/POINT OF CONTACT: Trevor Hatch - ProBlue Disaster and Construction
CONTACT PHONE NO.: (928) 536-5051 FAX NO.:
MAILING ADDRESS: 176 N. Main St., Ste. B
CITY: Snowflake STATE: AZ ZIP CODE: 85937

SUBJECT PARCEL INFORMATION:

LEGAL DESCRIPTION: T 9 N - R 22 E, SECTION 9, ASSESSOR PARCEL NO.: 212-07-011
SUBDIVISION NAME: LOT:
RURAL ADDRESS: 6146 Wagon Wheel Lane, Lakeside, AZ AREA: 3290
PARCEL SIZE: 1.36 Acres DATE OF OWNERSHIP: 4-28-15
PRESENT USE OF PROPERTY: vacant w/ various sheds and a garage
PROPOSED USE: convert garage to single family dwelling
GENERAL DIRECTION TO PARCEL: West on Wagon Wheel Ln. from White Mountain Blvd., third lot on the right (North side).
CURRENT ZONING: (Please check appropriate Zoning Classification)

☒ A-Gen ☐ RU-20 ☐ RU-10 ☐ RU-5 ☐ RU-1 ☐ R1-43 ☐ R1-10
☐ R-2 ☐ R-3 ☐ C-R ☐ I-1 ☐ I-2 ☐ Special Development

OWNER'S AFFIDAVIT:

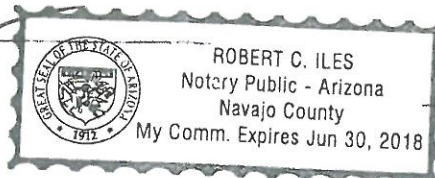
I, (print name) Katherine Smith, being duly sworn, depose and say that I am an owner of the property involved in this application and that the information herewith submitted is true and correct to the best of my knowledge.

Katherine Smith
Owner's Signature

STATE OF ARIZONA)
) SS
COUNTY OF Navajo

Sworn and subscribed before me on this 12th Day of August, 20 15

Robert C. Iles
Notary Public



06/30/2018
My Commission Expires

August 12, 2015

RE: Parcel #212-07-011
6146 Wagon Wheel Ln
Lakeside, AZ 85929

LETTER OF INTENT

To Whom It May Concern:

The above referenced property had (earlier in this year) a single family home of 2258 s.f. and a separate garage (farm utility building) of 721 s.f. The single family home was demolished earlier this year. I propose to convert the existing garage to a single family dwelling as the intent of this use permit application.

The existing garage is of 2" x 6" frame construction on a concrete slab, with engineered roof trusses, a roof and siding, with windows and doors. I am proposing to frame in interior walls, install new plumbing, electrical, and HVAC, and install various interior finishes to walls, ceilings, floors, etc. The result will be a single family residence with 1 bedroom, 1 bathroom, kitchen, laundry area, and living room.

I would then like to live in this converted dwelling temporarily with the intent of constructing a new main single family dwelling on the property at some time in the near future. The future main dwelling will be located at approximately the same location as the old main house that was demolished. The converted garage will then remain as a guest house.

Sincerely,


Katherine Smith

212-07

SHEET 4 OF 10
AREA CODE 3290, 3293
ZONING -----
OUT OF -----

AUTO CAD 11/
REVISIONS

PARCEL 009A TO 009D & E
SPLIT 013 TO 013H & J
COMB 0386039 TO 039A
AC ADJ. LOC FROM 012C TO 012E

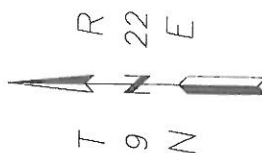
11

SHEET 3

212-07-009C

212-07-009B

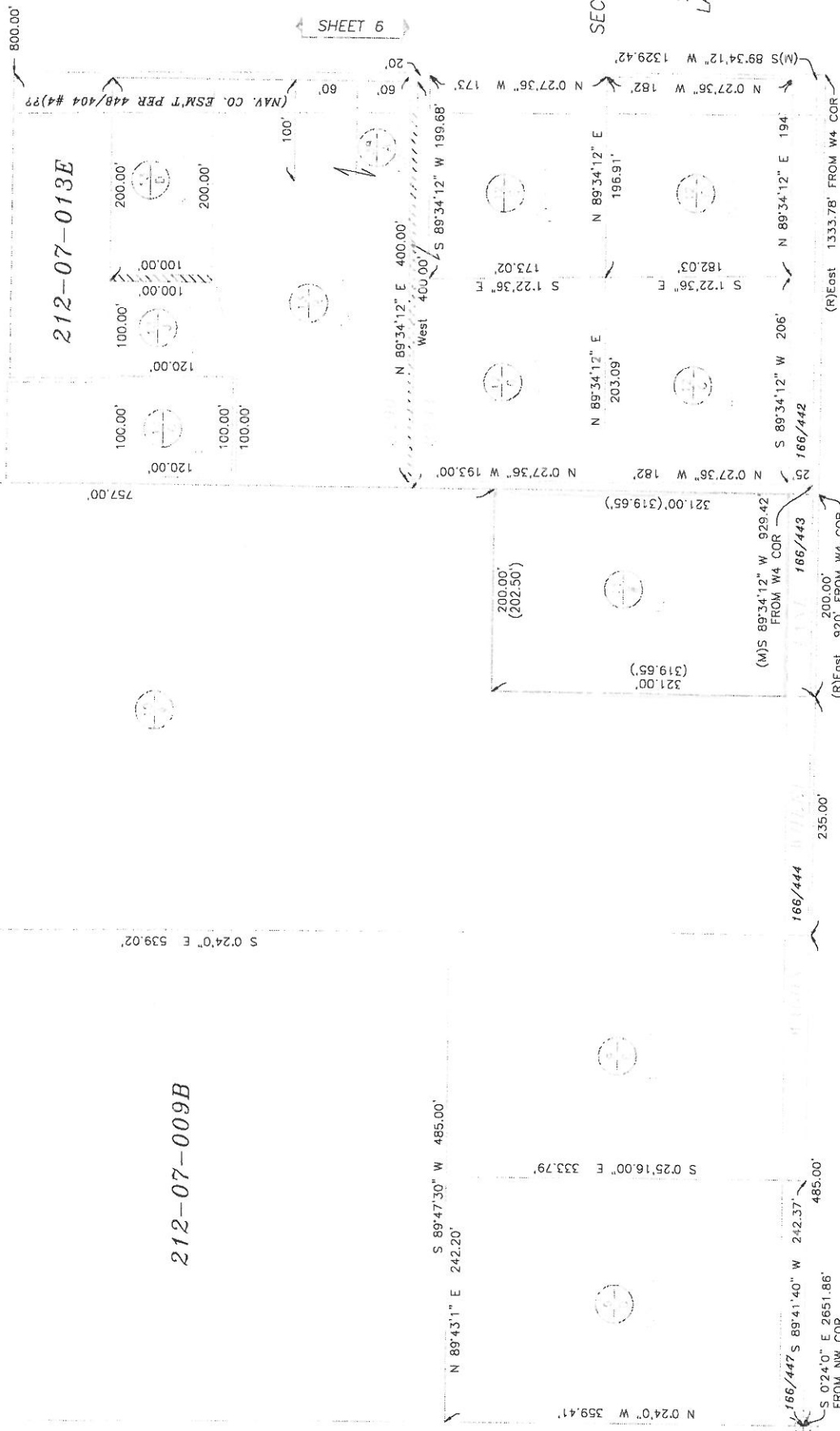
SHEET 9



SECTION 9 POR. SW
NW

SURVEY
PLAT

SCALE: 1"=100'
LAST REVISED 01



SHEET 1



July 9, 2015

Katherine Smith
6146 Wagon Wheel Lane
Lakeside AZ 85929

RE: Sewer inquiry for APN 212-07-011

Dear Ms. Smith:

Per our telephone conversation this morning, I am including information in this letter regarding fees for connection to sewer. This property is not within the Sanitary District boundaries but is served with a sewer lateral to your property line as part of the Wagon Wheel Sewer Line Ext #14-1 with a project connection fee of \$8,461.31 plus a \$60 inspection fee. As your septic is failing, our finance manager, Mark Heberer, is willing to finance the connection fee for 10 years at 6% interest with a monthly cost of \$93.94. Please note that the inspection fee is not financed and would be paid at the time a sewer permit is obtained. You would need to sign finance documents for this option.

You would also need to have this property annexed. As this property is adjacent to the Sanitary District boundary you would only need to send me a letter requesting annexation as your septic is failing or has failed, and include the parcel number, mailing address and annexation fees. According to Navajo County, this parcel is 1.36 acres. Our annexation fees are \$4,446 per acre so the annexation fee is \$6,046.56, but for residential property we only collect up to 1/2 acres' worth of fees with the balance deferred until such time that the property is further developed. So along with your request letter you would include a payment of \$2,223 for annexation.

Once the property is annexed you may complete the finance documents in our office and obtain a sewer permit. User fees are currently \$20 per month and are billed quarterly.

If you have any questions or concerns, please feel free to contact me at extension 1229 or by e-mail at aeshea@plsd.com. Our office hours are Monday through Thursday, from 7:00 a.m. to 5:30 p.m. Thank you and have a great day.

Sincerely,


Alexandria Shea
Planning & Design

Memorandum

TO: File

FROM: Alexandria Shea, Planning & Design

DATE: 7-9-15

SUBJECT: 212-07-011

TC from Katherine Smith (520-705-1811) regarding the failing septic on this property. I had spoke with the previous owners, the Rogues', last year and they had indicated to me that the septic was failing but were not able to afford to connect at that time including making payments. They were having financial difficulties due to the father's illness. Subsequently, the Rogues lost their home.

This property is not in the District but is served with a sewer lateral as part of the Wagon Wheel Sewer Line Ext #14-1 with a project connection fee of \$8,461.31 (includes the lateral) plus \$60 inspection fee. The parcel is 1.36 acres so annexation fees are \$6,046.56 (\$4,446 per acre) but as this is residential, only \$2,223 would be collected with the balance deferred.

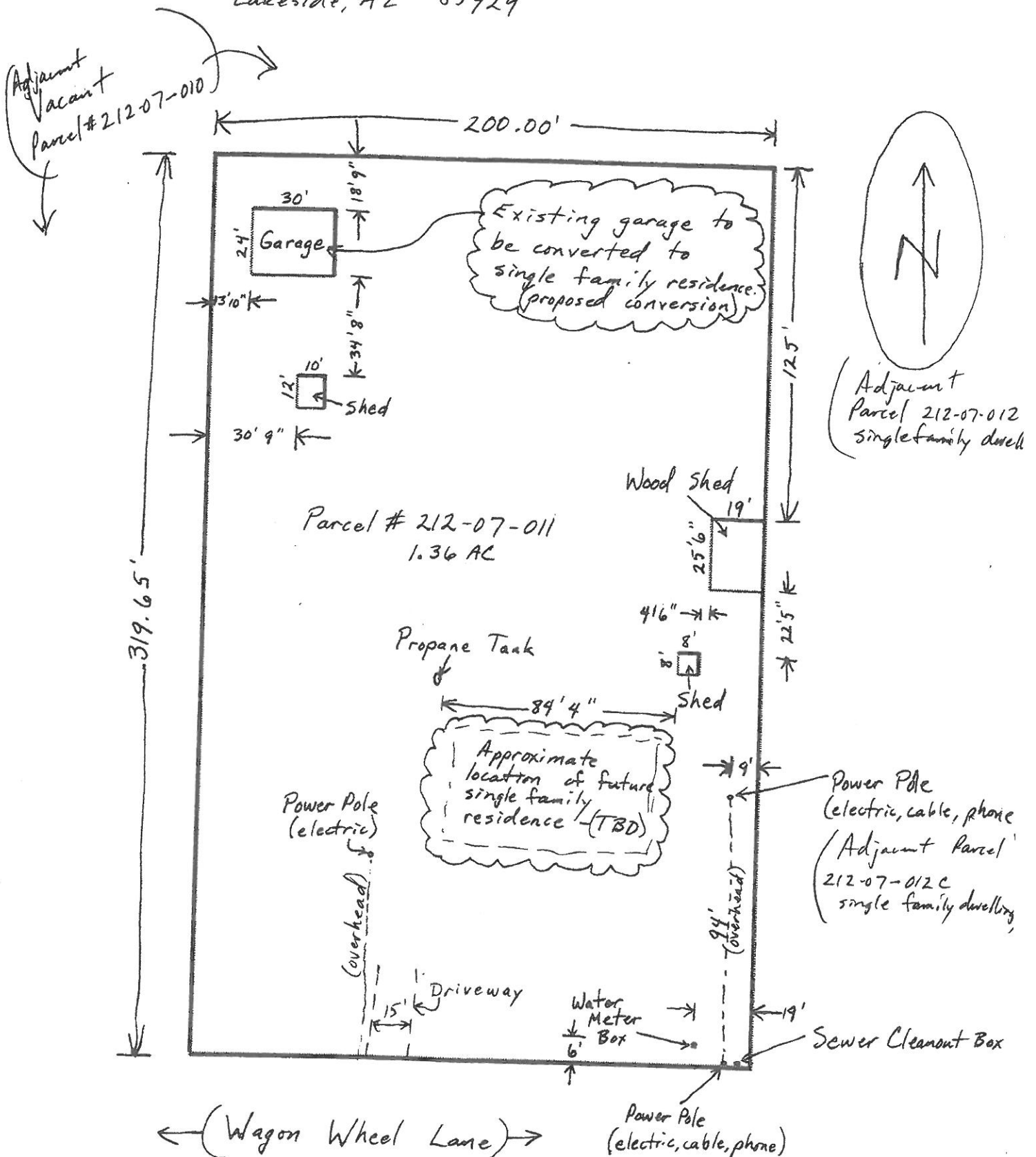
I spoke with Mark Heberer, finance manager, and he is willing to finance this as their septic is failing or has failed. Ms. Smith is interested in connecting to sewer with financing versus having a new septic and leach lines installed. I have sent her a letter regarding the various fees.

Date: 8/12/15 Owner: Katherine Smith

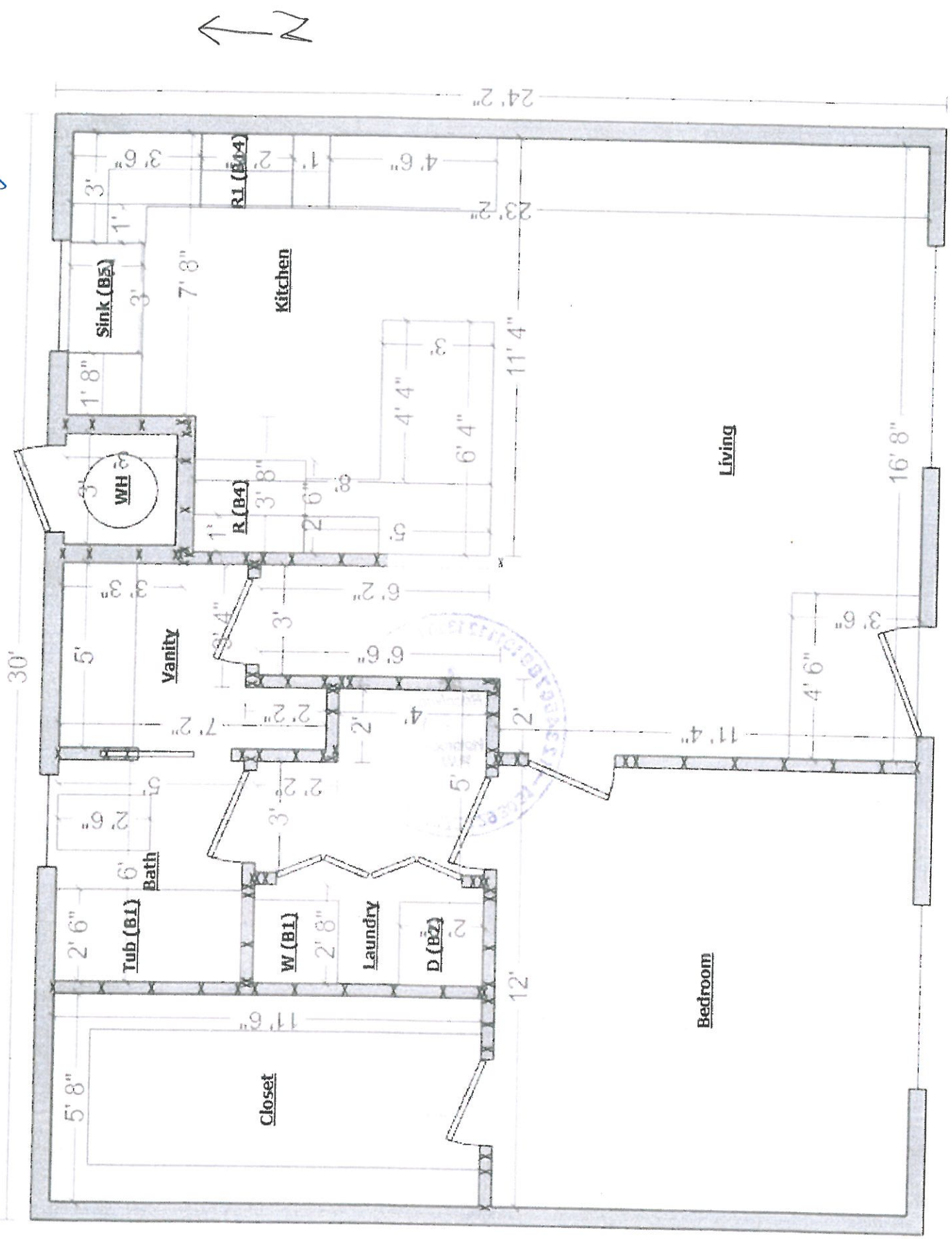
Parcel #: 212-07-011

Address: 6146 Wagon Wheel Lane
Lakeside, AZ 85929

Zoning: A-General



Existing garage shell → Proposed conversion to single family dwelling.



RESOLUTION NO. 15-06B

A RESOLUTION OF THE NAVAJO COUNTY BOARD OF ADJUSTMENT, APPROVING A USE PERMIT

WHEREAS, the Navajo County Board of Adjustment is authorized by Section 2802(3) of the Navajo County Zoning Ordinance to grant Use Permits upon the terms and conditions set forth therein; and

WHEREAS, at a duly noticed public hearing held this date the Board of Adjustment determined that the following Use Permit should be approved subject to the conditions set forth herein:

OWNER:	KATHERINE SMITH
PARCEL:	NAVAJO COUNTY ASSESSOR'S PARCEL NO. 212-07-011 in Section 9, Township 9 North, Range 22 East, G&SRM, Navajo County, in the Lakeside area.
LEGAL DESCRIPTION:	See Special Warranty Deed recorded in the Office of the Navajo County Recorder at Fee No. 2015-05287 recorded 4-28-2015.
APPROVED USE:	REMODELING AN EXISTING GARAGE TO INCLUDE PERMANENT GUEST QUARTERS PRIOR TO REBUILDING A PRIMARY DWELLING.

NOW, THEREFORE, BE IT RESOLVED by the Navajo County Board of Adjustment that a Use Permit for the above-described use on the subject parcel is hereby **APPROVED** subject to the following conditions:

1. The use of the guest quarters shall comply with all Navajo County, State, Federal regulations and all applicable provisions of the Navajo County Zoning Ordinance.
2. The applicant shall obtain all required Navajo County permits, including but not limited to, building, septic system, grading, and drainage permits, prior to occupancy of the guest quarters.
3. Prior to occupancy of the guest quarters, the applicant is to provide documentation to Navajo County that the septic system complies with all applicable Navajo County requirements.
4. All drainage and grading issues shall be addressed to the satisfaction of Navajo County Public Works prior to obtaining building permits.
5. While two dwellings exist on the property, neither one of them shall ever be rented, or generate income.

The Secretary shall transmit this Resolution to the Navajo County Recorder's Office for recordation.

PASSED AND ADOPTED by the Navajo County Board of Adjustment on _____,

with a vote of ____ yeas, ____ nays.

Bill Arendell, Chairman
Navajo County Board of Adjustment

ATTEST:

Secretary, Planning & Zoning



NAVAJO COUNTY
PUBLIC WORKS DEPARTMENT
PLANNING & ZONING

STAFF REPORT

BOARD OF ADJUSTMENT

HEARING DATE: October 14, 2015

CASE NO: 15-26

ACTION: Use Permit

APPLICANT/OWNER: Katherine Smith

PARCEL INFORMATION:

Address: 6145 Wagon Wheel Lane, Lakeside, Arizona

APN: 212-07-011

Legal Desc: A portion of Section 9, Township 9 North, Range 22 East, of the Gila and Salt River Meridian, in the Pinetop area.

District: IV

Parcel Size: 1.36 Acres

STATED REASON FOR REQUEST: The property had a single family home of 2,258 sq. ft. which was demolished earlier this year. The applicant would like to remodel an existing garage/farm utility building of 721 sq. ft. to include 1 bedroom, 1 bathroom, a kitchen, laundry area and living room, prior to rebuilding a primary single family dwelling. This would allow her to live on the property while rebuilding the larger home. The smaller structure would remain as permanent guest quarters.

BACKGROUND & DISCUSSION: The A-General District allows for guest quarters subject to the approval of a Use Permit through the Board of Adjustment.

As the proposed Use Permit is allowed, subject to meeting the requirements of the Zoning Ordinance, Building Code and other applicable regulations (as stipulated below), staff is not aware of any public or other objections. Staff supports granting the Use Permit.

NAVAJO COUNTY ORDINANCES, PLANS, & REGULATIONS:

ZONING DISTRICTS:

A-General: The main purpose of this A-General Zone is to provide for all the unincorporated area of the County, except land within the boundary of a reservation and outside the authority of Navajo County not otherwise designated for some other specific zone, to be included in the "A-General Zone", by this Ordinance. No subdividing shall be conducted or approved in the "A-General Zone", without prior re-zoning of the land so intended. Uses permitted in the "A-General Zone", include farm and non-farm residential uses, farms, recreational, institutional, commercial and industrial uses as specifically listed in this Article. Other uses may be permitted as Special Uses under Article 20. Guest houses and quarters for servants and caretakers employed on the premises, providing that the lot be a minimum of ten thousand square feet, (10,000 sq.ft.) in area, that all buildings meet all building setbacks, that the guest house or servants and caretakers quarters be no greater than seventy-percent (70%) of the square footage of the principal dwelling and subject to securing a Use Permit from the Board of Adjustment.

ZONING ORDINANCE:

- Article 28 / Section 2802.3: Board of Adjustment / Powers and Duties

3. *Use Permits. The board may grant use permits as permitted by the regulations applicable to the zoning district in which the property is located. No use permit shall be granted unless the board finds that the use and the manner of conducting it (including any associated buildings or structures) will be consistent with the intent and purposes of the Zoning Ordinance and will not be detrimental to persons residing or working in the vicinity, to adjacent property or the neighborhood in general, or to the public welfare. In granting a use permit, appropriate conditions to preserve the intent and purposes of the Zoning Ordinance may be prescribed (including, without limitation, the acquisition of right-of-way for street widening purposes in accordance with the recommendations of the Public Works Department if it appears that the use would increase traffic congestion). Unless otherwise stated on the permit, a use permit shall be permanent and shall run with the land.*

GENERAL CHARACTER OF AREA: This parcel is located in a mixture of residential and commercial populated area in the Wagon Wheel area of Lakeside.

REVIEWING AGENCY COMMENTS:

ENGINEERING:

Engineering Staff has no objection to the proposed Use Permit as long as the recommendations made by the Staff are met. The property has a septic system that failed, but it is served with a sewer lateral as part of the Wagon Wheel Sewer Line Ext #14-1. to the Pinetop-Lakeside Sanitary District, and the Sanitary District has agreed to service this property.

Initial: W.R.B.

FLOOD CONTROL:

The Flood Control staff has reviewed the application for a Use Permit on the subject parcel which is within flood hazard Zone X. A review of the DFIRM map does not show a flood hazard for this area. The Flood Control Staff has no objection to the proposed Use Permit.

Initial: R.P.

COUNTY ATTORNEY:

The County Attorney has no issues as long as the property is not used to generate income or used as a rental unit. The applicant must obey all local, State and Federal laws and regulations.

Initial: BSC

IN SUMMARY:

The Planning & Zoning staff has reviewed the Use Permit request and determined it is ready for Board action, provided building plans are submitted for review and approved and the quarters are no greater than seventy-percent (70%) of the square footage of the principal dwelling and subject to securing a Use Permit from the Board of Adjustment. Staff has received no comments from the public either in favor or opposed to the Use Permit. Post cards were sent to 8 parcel owners including the applicant.

Initial: P.S.

PUBLIC WORKS DEPARTMENT RECOMMENDATION: Should the Board grant this request for a Use Permit, staff recommends the following conditions be applied:

1. The use of the guest quarters shall comply with all Navajo County, State, Federal regulations and all applicable provisions of the Navajo County Zoning Ordinance.

2. The applicant shall obtain all required Navajo County permits, including but not limited to, building, septic system, grading, and drainage permits, prior to occupancy of the guest quarters.
3. Prior to occupancy of the guest quarters, the applicant is to provide documentation to Navajo County that the sewer system complies with all applicable Navajo County requirements.
4. All drainage and grading issues shall be addressed to the satisfaction of Navajo County Public Works prior to obtaining building permits.
5. While two dwellings exist on the property, neither one of them shall ever be rented.

RESOLUTION NO. 15-06B

A RESOLUTION OF THE NAVAJO COUNTY BOARD OF ADJUSTMENT, DENYING A USE PERMIT

WHEREAS, the Navajo County Board of Adjustment is authorized by Section 2802(3) of the Navajo County Zoning Ordinance to grant Use Permits upon the terms and conditions set forth therein; and

WHEREAS, at a duly noticed public hearing held this date the Board of Adjustment determined that the following request for Use Permit should be denied:

OWNER:	KATHERINE SMITH
PARCEL:	NAVAJO COUNTY ASSESSOR'S PARCEL NO. 212-07-011 in Section 9, Township 9 North, Range 22 East, G&SRM, Navajo County, in the Lakeside area.
LEGAL DESCRIPTION:	See Special Warranty Deed recorded in the Office of the Navajo County Recorder at Fee No. 2015-05287 recorded 4-28-2015.
DENIED USE:	REMODELING AN EXISTING GARAGE TO INCLUDE PERMANENT GUEST QUARTERS PRIOR TO REBUILDING A PRIMARY DWELLING.

NOW, THEREFORE, BE IT RESOLVED by the Navajo County Board of Adjustment that a Use Permit for the above-described use on the subject parcel is hereby **DENIED**.

The Secretary shall transmit this Resolution to the Navajo County Recorder's Office for recordation.

PASSED AND ADOPTED by the Navajo County Board of Adjustment on _____.

Bill Arendell Chairman
Navajo County Board of Adjustment

ATTEST:

Secretary